

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CASEY TROYER, et al.,

Plaintiffs,

CASE NO. 1:09-CV-821

v.

HON. ROBERT J. JONKER

T. JOHN E. PRODUCTIONS, INC., a
Michigan corporation, et al.

Defendants.

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ORDER

Before the Court is Plaintiffs' Motion to Disallow All or Some of Defendants' Bill of Costs, which requests that the Court "review Defendants' Bill of Costs with a critical eye and that only those reasonable costs that are customarily allowed under Fed. R. Civ. P. 54 be awarded" (docket # 191, at 9.). For the following reasons, Plaintiffs' Motion is **DENIED** without prejudice. Plaintiffs may re-file their Motion within seven days of this Order after addressing the deficiencies outlined below. Defendants are similarly given seven days to respond if they choose to do so.

In its Motion, Plaintiffs provide general examples of costs that they consider unrecoverable under Fed. R. Civ. P. 54 and/or 28 U.S.C. § 1920, and based on these examples, summarily conclude that Defendants request for \$15,821.64 in costs should be reduced "to a total of not more than \$1,100.00." (docket # 191, at 9.) This Motion is inadequate, as it fails to identify with sufficient specificity those costs that Plaintiffs believe are unreasonable and a legal basis for their position. Before the Court will consider Plaintiffs' request to disallow some or all of the costs Defendants submitted, Plaintiffs shall file a Motion with the Court (a) specifically articulating what costs are not "reasonable and necessary" as defined in Rule 54; (b) the basis for their position; and (c); how

Defendants' proposed costs should be reduced as a result. Highlighting some examples of the problems with Defendants' bill of costs and attaching the Eastern District of Michigan's Bill of Costs Handbook do not provide a sufficient basis for the Court to conduct a meaningful review as Rule 54 and 28 U.S.C. § 1920 require.

Similarly, if Defendants wish to respond to Plaintiffs' re-filed motion, they shall do so by filing a response with the Court that specifically addresses why each challenged cost is reasonable and necessary and the rationale in support of their position. The Court does not intend on holding a hearing on this matter, so Defendants should respond in writing if they wish to have their position on the record for consideration.

IT IS SO ORDERED.

Dated: December 14, 2011

/s/Robert J. Jonker
ROBERT J. JONKER
UNITED STATES DISTRICT JUDGE